

Docket No. 000687.00020



PATENT & TRADEMARK
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT OF: University of Rochester

PATENT NO: 5,949,521

PATENTED: September 7, 1999

FOR: METHOD AND APPARATUS FOR IMPROVING VISION AND THE RESOLUTION OF RETINAL IMAGES

TERMINAL DISCLAIMER



ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

08-03-2001

U.S. Patent & TMO/TM Mail Rpt Dt. #70

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

University of Rochester is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 8360, frame 0762.

University of Rochester hereby disclaims the terminal part of the above-captioned patent, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,777,719, and hereby agrees that the above-captioned patent shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 5,777,719, this agreement to run with the above-captioned patent and to be binding upon the grantee, its successors or assigns.

University of Rochester does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,777,719 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

BLANK ROME COMISKY & MCCAULEY LLP

August 3, 2001

Date Signed

Michael C. Greenbaum

Registration No. 28,418

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